



ROACH & CARPENTER, P C

Eve Piemonte Stacey

24 School Street
Boston, Massachusetts 02108
(tel) 617.720.1800
(fax) 617.720.0720
(e-mail) lawyer@rc-law.com

February 5, 2007

By e-mail (2/3/07) and first class mailMichael W. Reilly, Esq.
Tommasino & Tommasino
Two Center Plaza
8th Floor
Boston, MA 02108RE: Shawn Drumgold v. Timothy Callahan, et al.
U.S.D.C. Civil Action No. 04-11193-NG

Dear Attorney Reilly:

As referenced by my correspondence to you the afternoon of February 2, 2007, enclosed please find a Privilege/Redaction Log for the copies of former Boston Police Department Lt. Det. John Daley's personal diary, produced under the Protective Order in the case, as well as the confidentiality agreement reached at Mr. Daley's deposition. As we have discussed previously, what has been redacted is information that is personal either to Mr. Daley or regarding Mr. Daley's family. You have stated on more that one occasion that you are not interested in this information, so I do not expect a motion to compel or dispute on these redactions.

Finally, while I intend to produce unredacted copies of Mr. Daley's diary made during his tenure in homicide to the Court for in camera review, a broad reading of the Court's order could require me to produce all remaining notes by Mr. Daley. I do not have all remaining notes in my possession for a number of reasons. However, in prior correspondence from you to Attorney Roach, in telephone conversations with me, in the opposition to Mr. Daley's motion for protective order, and in the motion to compel you filed with the Court, you have consistently represented that you are seeking only Mr. Daley's notes from the time he was Commander of the Homicide Unit. Kindly advise whether I may file an assented to motion to modify or clarify the Court's order of January 22, 2007, indicating that you are not requesting the remainder of Mr. Daley's notes that span the approximately 25 years prior to the Tiffany Moore homicide. I would be happy to serve you with a copy of the motion prior to its filing with the Court.

Sincerely,

Eve A. Piemonte Stacey

cc: Hugh R. Curran, Esq. (by e-mail 2/3/07 and first class mail); Mary Jo Harris, Esq. (by e-mail 2/3/07 and first class mail); John P. Roache, Esq. (by e-mail 2/3/07 and first class mail); Rosemary C. Scapicchio, Esq. (by e-mail 2/3/07 and first class mail); Susan M. Weise, Esq. (by e-mail 2/3/07 and first class mail); William M. White, Jr., Esq. (by e-mail 2/3/07 and first class mail)